

REMARKS/ARGUMENTS

Claims 2-6, 10-11, 13-17 and 21-22 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicants thank the Examiner for indicating this allowable subject matter.

Claim rejections 35 USC § 103

Claims 1, 7-9, 12, 18-20 and 23-27 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Lortz (US Patent No. 6,505,243 B1) (hereinafter Lortz) in view of Gilkes et al. (U.S. Patent No. 6,700,535 B2) (hereinafter Gilkes). The Applicants respectfully traverse the rejection.

As per Claims 1, 7-9, 12 and 18-20:

Independent Claim 1 recites a limitation whereby an initiator device stores a list of recognized device addresses for connecting thereto, as claimed. Moreover, independent Claim 1 recites a limitation whereby the initiator device compares device addresses for address match with the list of recognized device addresses and applies a fitness function to the matched address, as claimed. The fitness function may be a predefined value for the respondent device.

Lortz discloses that an installation notification is transmitted to devices on the network and configuration of the device being attached is initiated (see Lortz, col. 5, lines 1-5). Lortz further discloses that the notification can be broadcast to all devices or only to a specific subset or a single device on the network (see Lortz, col. 5, lines 6-9). Lortz, however, fails to disclose that the initiator device stores a list of recognized device addresses for connecting thereto, as claimed.

Moreover, Lortz discloses that devices have configuration memories and after retrieving the remote data, a check is performed to determine if such local data is present (see Lortz, col. 7, lines 7-10). Lortz further discloses that if such local data is present, the local data is compared against the remote data and the local data is updated if needed (see Lortz, col. 7, lines 11-19). Configuration and remote data are not device addresses but are in fact time zone identifier, state information, or configuration selections (see Lortz, col. 2, lines 56-58). Accordingly, Lortz does not disclose nor does it suggest that device addresses are compared with the list of recognized device addresses, as claimed.

Additionally, Lortz discloses that after a notification is broadcast to the network, a configuration device retrieves installation configuration and customization data for the device which includes how to connect to the device, as well as setting up basic operating modes and setting user preferences (see Lortz, col. 5, lines 1-31). Lortz, however, fails to disclose applying a fitness function to the matched address, as claimed.

The rejection admits that Lortz fails to disclose that in response to said initiator device broadcasting said first message said initiator device receiving a plurality of second wireless messages from a set of said plurality of potential access point devices, as claimed. The rejection relies on Gilkes to remedy this defect. The Applicants respectfully traverse.

Gilkes discloses that a mobile communication device 51 broadcasts a signal that includes the unique identifier of a mobile communication device 5B and once the mobile communication device 5B receives the message and recognizes its unique identifier, the mobile communication device 5B begins transmitting a response (see Gilkes, col. 7, lines 36-70). Accordingly, Gilkes teaches that one message at a time is broadcast with its corresponding unique identifier. Therefore, to contact ten mobile devices, ten separate messages with their respective unique identifier is required. In contrast, independent Claim 1 recites a limitation whereby a message is broadcasted to a plurality of access point devices, as claimed. As such, Gilkes does not disclose nor does it suggest receiving a plurality of messages in response to broadcasting a message to a plurality of potential access point devices, as claimed. Moreover, independent Claim 1 does not require a unique identifier whereas Gilkes necessarily requires the unique identifier in order to respond to the mobile communication device 51.

Moreover, the Applicants do not understand Gilkes to either teach or suggest failures of Lortz discussed above for failing to disclose storing a list of recognized device addresses for connecting thereto, comparing device addresses for address match with the list of recognized device addresses and applying a fitness function to the matched address, as claimed. Therefore, not only the cited portion of Gilkes does not remedy the failures of Lortz as discussed above but Gilkes also fails to remedy the failure of Lortz for not disclosing receiving a plurality of messages in response to broadcasting a message to a plurality of potential access point devices, as claimed.

Therefore, Lortz alone, or in combination with Gilkes, does not teach or suggest the recited limitations of independent Claim 1. Accordingly, Claim 1 is not rendered obvious under 35 USC 103(a). Independent Claim 12 recites limitations similar to that of independent Claim 1 and is therefore patentable, under 35 USC 103(a), for the same reasons that Claim 1 is patentable. Dependent Claims 7-9 and 18-20 are patentable by virtue of their dependency. As such, allowance of Claims 1, 7-9, 12 and 18-20 is earnestly solicited.

As per Claims 23-27:

Independent Claim 23 recites a limitation (emphasis added):

"In a wireless communication device having a wireless transceiver and a memory cache comprising a list of access point addresses, a method for updating said list of access point addresses comprising:

- a) connecting said wireless communication device with a network server, said network server comprising a list of current network access point addresses for a network;
- b) comparing said list of access point addresses to said list of current network access point addresses;
- c) adding to said list of access point addresses in said memory cache of said wireless communication device any addresses found on said list of current network access point addresses and not found on said list of access point addresses; and
- d) deleting from said list of access point addresses in said memory cache of said wireless communication device any addresses not found on said list of current network access point addresses and found on said list of access point addresses."

Lortz discloses that when a minimally configured device is attached to a network, the device acquires a network address which may be accomplished through assignment of an address by the configuration device or by self-assignment wherein self-assignment presumes that all devices use addresses from a predetermined pool (see Lortz, col. 3, lines 12-30). Accordingly, Lortz discloses a method for acquiring a network address. The Applicants do not understand Lortz

to either teach or suggest comparing the list of access point addresses to the list of current network access point addresses, as claimed.

Moreover, Lortz discloses a networking configuration having traditional and non-traditional networking devices wherein the non-traditional networking devices are augmented with networking functionality (see Lortz, col. 2, lines 22-52). Lortz further discloses that a minimal configuration for such augmented devices includes a memory for storing persistent configuration information such as time zone identifier, state information, or configuration selections and that minimal configurations contain sufficient basic logic to boot the device, establish a connection with the network, and communicate with a configuring device for configuration assistance (see Lortz, col. 2, lines 53-64). The Applicants do not understand Lortz to either teach or suggest adding to the list of access point addresses any addresses found on the list of current network access point addresses and not found on the list of access point addresses, as claimed.

The rejection relies on Gilkes in order to show the recited limitation of deleting from the list of access point addresses any addresses not found on said list of current network access point addresses and found on the list of access point addresses, as claimed. The Applicants do not understand Gilkes to teach the recited limitation of independent Claim 23.

Gilkes discloses that the distance to the respective locations can be calculated from the relative phases detected at those locations (see Gilkes, col. 4, lines 1-4). Gilkes discloses that various location markers (e.g., four location

markets at four different Cartesian coordinates) receive a message transmitted by a device and measure the phase difference thereby determining at each location marker the time of arrival of the received message relative to the time of arrival of the message at other location markers (see Gilkes, col. 4, lines 7-58). Accordingly, Gilkes teaches a method for calculating the distance by determining the difference in phase and thereby the time of arrival. The Applicants do not understand Gilkes to either teach or suggest deleting from the list of access point addresses any addresses not found on the list of current network access point addresses and found on the list of access point addresses, as claimed.

Therefore, Lortz alone, or in combination with Gilkes, does not teach or suggest the recited limitations of independent Claim 23. Accordingly, Claim 23 is not rendered obvious under 35 USC 103(a). Dependent Claims 24-27 are patentable by virtue of their dependency. As such, allowance of Claims 23-27 is earnestly solicited.

For the above reasons, Applicants request reconsideration and withdrawal of these rejections under 35 U.S.C. §103.


CONCLUSION

In light of the above listed remarks, reconsideration of the rejected claims is requested. Based on the arguments presented above, it is respectfully submitted that Claims 1, 7-9, 12, 18-20 and 23-27 overcome the rejections of record and, therefore, allowance of Claims 1, 7-9, 12, 18-20 and 23-27 is earnestly solicited.

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